

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

May 16, 2005
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Cindy Swenson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Captain Dave Wyfells, Fire Chief Marv Calvin, Public Works Director Mel Odens, Planning and Development Services Director Bruce Peterson, City Planner Megan Sauer, and City Clerk Kevin Halliday.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of May 2, Rice Hospital Board Minutes of May 9, Municipal Utilities Commission Minutes of May 9, Planning Commission Minutes of May 11, Building Inspection Report for April, Housing Redevelopment Authority Minutes of April 12, Airport Commission Minutes of March 29, 2005; and West Central Ducks Unlimited application for exempt permit. Council Member DeBlieck seconded the motion, which carried.

At 7:03 p.m. Mayor Heitke opened a hearing on an Ordinance Authorizing the Issuance of \$3,675,000 General Obligation Improvement Bonds, Series 2005A, and the Levying of Taxes to Secure Payment Therefore. City Administrator Schmit presented details of the proposed bonds used to fund the 2005 Street and Other Improvements Project. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:05 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of the Ordinance Authorizing the Issuance of \$3,675,000 General Obligation Improvement Bonds, Series 2005A, and the Levying of Taxes to Secure Payment Therefore. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$3,675,000
GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2005A, AND THE
LEVYING OF TAXES TO SECURE PAYMENT THEREFORE

(For Resolution in its entirety, see Council proceedings file dated
May 16, 2005, located in the City Clerk's Office)

At 7:06 p.m. Mayor Heitke opened a hearing on an Ordinance Authorizing the Issuance of \$1,290,000 General Obligation Water Revenue Bonds, Series 2005B. City Administrator Schmit presented details of the proposed bonds to finance various improvements to the water system. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed

the hearing at 7:07 p.m.

Council Member Reese offered a motion to adopt, assign a number, and order final publication of the Ordinance Authorizing the Issuance of \$1,290,000 General Obligation Water Revenue Bonds, Series 2005B. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$1,290,000 GENERAL OBLIGATION WATER REVENUE BONDS, SERIES 2005B

(For Resolution in its entirety, see Council proceedings file dated
May 16, 2005, located in the City Clerk's Office)

At 7:10 p.m. Mayor Heitke opened a hearing on an Ordinance Amending Ordinance No. 1060, the Willmar Zoning Ordinance. Planning and Development Services Director Peterson informed the Mayor and Council that Duinick Companies Inc. proposes rezoning property east of Community Christian Schools, from R-3 to LB for the purpose of school development and possibly another business. The proposal is consistent with the Comprehensive Plan and has been approved by the Planning Commission. There being no one present to speak for or against the proposed Ordinance, and Mayor Heitke closed the meeting.

Council Member Reese offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending Ordinance No. 1060, the Willmar Zoning Ordinance. Council Member Anderson seconded the motion, which carried.

At 7:13 p.m. Mayor Heitke opened a hearing on an Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance. Planning and Development Services Director Peterson informed the Mayor and Council that Nancy Score proposes rezoning property east of Tiffany Square on the corner of 2nd Street Southeast and Olena Avenue from R-4 (Medium Density Multiple Family Residential) to GB (General Business) for the purpose of development of more retail space and additional parking. The Planning Commission has approved the rezoning. Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 7:14 p.m.

Council Member Christianson offered a motion to adopt, assign a number, and order final publication of the Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance. Council Member Anderson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 7:19 p.m. Mayor Heitke opened a hearing to consider Business Subsidy Agreements for NovaTech and Epitopix and to consider JOBZ sub-zone modifications. City Administrator Schmit provided introductory remarks and explanations for Council action and introduced Economic Development Commission Executive Director Steve Renquist. Mr. Renquist explained that the Business Subsidy Agreements spell out terms and conditions whereby the business guarantees a level of business growth in exchange for abatements of property, personal and corporate taxes.

NovaTech and Epitopix have offered to buy the entire Willmar Regional Treatment Center

(WRTC) campus subject to successful negotiations with the State of Minnesota. Considerable discussion centered around the apparent land-use conflicts recognizing a public obligation to continue the State and enterprise programs, maintaining jobs, and serving patients and clients into the future.

Following a lengthy discussion regarding the contents of the Business Subsidy Agreements and issues surrounding the sale of the WRTC property, Resolution No. 3 was introduced by Council Member Christianson, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call votes of Ayes 8, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into a JOBZ business subsidy agreement between the City of Willmar and NovaTech Engineering.

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into a JOBZ business subsidy agreement between the City of Willmar and Epitopix.

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 5, authorizing the transfer of 96 JOBZ acres from the new Industrial Park site to the WRTC to accommodate development, was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

SUB-ZONE RESOLUTION OF APPROVAL TO AUTHORIZE

SUB-ZONE MODIFICATION

WHEREAS, job creation, business development and individual wealth growth in Kandiyohi County, Minnesota, have been less than the national and state averages; and

WHEREAS, the resulting effects of such lagging job creation, business development and individual wealth growth have harmed and are forecasted to continue to harm the economy of Kandiyohi County; and

WHEREAS, the Job Opportunity Building Zones (JOBZ) Program created in Minnesota Session Law 2003, 1st Special Session, Chapter 21, Article 1, allows for the modification of Sub-zones;

NOW, THEREFORE, BE IT RESOLVED, that the Willmar City Council, at its meeting held on May 16, 2005, upon careful consideration and review, approves the specific areas designated in the application for Sub-Zone Modification:

The removal of 96 acres (part of Parcels 95-917-5590, 95-917-5595 and 95-916-2925) from Sub-zone 165, and the addition of 96 acres identified as part of Parcel PIN 95-901-0010. The legal description for the new property is on the attached Exhibit A.

The map showing the current Sub-zone parcels is attached as Exhibit B.

The map showing future Sub-zone parcels is attached as Exhibit C.

The Willmar City Council, upon careful consideration and review, extends the original exemptions and tax credits within the designated zones (subject to proper review and approval by the other appropriate taxing authorities within the zones), and encourages the Minnesota Department of Employment and Economic Development to approve the Modification of the Tax-Free Sub-zone as submitted.

BE IT FURTHER RESOLVED, that the City of Willmar agrees to provide all of the local tax exemptions and credits required and provided for under the JOBZ legislation and agrees to forego the tax benefits resulting from the local and state tax exemptions and credit provided under the JOBZ legislation.

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

City Administrator Schmit presented to the Mayor and Council for consideration a Resolution supporting the concept of the aforementioned development plan noting that any specific plan or project would have to come back to the Council for formal approval and also assuming that negotiations with the State of Minnesota for the purchase of the site would be successful. Resolution No. 6 was introduced by Council Member Christianson, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

BE IT RESOLVED by the Willmar City Council that the concept of NovaTech and Epitopix purchasing a portion of the Willmar Regional Treatment Center for reuse is hereby approved subject to negotiations with the State of Minnesota being successfully completed.

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Following further discussion regarding project timing and the possibility of major changes to the JOBZ legislation coming from this legislative session, Council Member Anderson moved to schedule a special City Council meeting for 4:45 p.m., Tuesday, May 31, 2005, in Conference Room No. 1 at the City Office Building, with Council Member Christianson seconding the motion, which carried. The purpose of the meeting will be to consider additional public subsidy agreements recognizing corporate name changes impacting NovaTech and Epitopix.

Mayor Heitke called for a recess at 8:42 p.m. and reconvened the meeting at 8:50 p.m.

Mayor Heitke acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

The Finance Committee Report for May 9, 2005, was presented to the Mayor and Council by Council Member Anderson. There were four items for Council consideration.

Item No. 1 Chair Anderson opened a hearing regarding a second liquor violation for Vannandy's Night Club. Staff explained the hearing is allowed by Ordinance No. 1147 if, after notification that a violation has occurred, the hearing is requested by the establishment in violation.

Staff then presented documentation of notices and copies of court records showing the notices issued and the findings of the court. Vannandy's was cited on November 21, 2004, for failure to vacate the premises after the required time, which is one-half hour after liquor sales have ceased. They pleaded guilty on February 8, 2005, and received a penalty from the City dated March 25, 2005. The minimum fine outlined in the Ordinance for a second offense is a \$750 fine and a 5-day suspension.

Comments were given by Vannandy's owner, Mr. Ricardo Lopez, Manager Marcela Diaz, Attorney Robert Stoneburner, Willmar Police Sergeant Negen, Chief Kulset and City Attorney Ronning.

After considerable testimony and discussion, the Committee was recommending the Council implement the fine imposed on Vannandy's Night Club of \$750 and to waive the 5-day suspension. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Reese seconding the motion, which resulted in a roll call vote of Ayes 4, Noes 4. Mayor Heitke declined to cast the deciding vote resulting in a mandated fine and suspension of license.

Item No. 2 The Committee reviewed a request for \$3,000 for the City's local share of the KAT bus to be purchased in 2005. The request is due to increased base cost of the bus to \$60,000, \$42,000 of which MNDOT will pay. The City had initially budgeted \$6,000 for its portion of the local share.

The Committee was recommending the Council approve of the KAT funding request as presented. Resolution No. 7 was introduced by Council Member Anderson, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Kandiyohi Area Transit transfer of the General Fund Budget:

Increase:	Transfer Out-KAT	\$ 3,000.00
Decrease:	Designated Reserves	\$ 3,000.00

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee reviewed the 2006 budget calendar and was recommending the Council adopt the 2006 budget calendar as presented. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 4 The Committee was reminded that the next meeting they will be reviewing the 2004 financial numbers and start 2006 budget discussions. This matter was for information only.

The Finance Committee Report for May 9, 2005, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Christianson, and carried.

The Public Works/Safety Committee Report for May 10, 2005, was presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 The Committee considered a proposed acquisition of a bus stop shelter for the City. The proposal includes KAT paying for the initial costs (including translucent materials and concrete base) and requests the City construct, assume ownership, and maintain the shelter. Staff reminded the Committee that several years ago bus shelter locations were established by the Council and a map was presented for review showing the eight locations. The location of this particular shelter is 5th Street SW near the current bus stop sign in front of Willow Run Apartments.

Following discussion, the Committee recommended the Council direct Kandiyohi Area Transit to construct the shelter including concrete base and after the installation is complete the City will assume ownership and maintenance of the structure. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlick seconding the motion, which carried.

Item No. 2 The Committee reviewed information relating to precedence criteria from the League of Minnesota Cities in defense of removing the crossing guard near the entrance to Robbins Island. Statistics presented by the Willmar Police Department were discussed including the number of citizens crossing and how the number count continues to fall each year. In 1997 there were 7,230 crossings documented. In 2004 the numbers dropped to near 1,100 which calculated out to a cost of approximately \$3.84 per person. It is staff's recommendation to discontinue use of the crossing guard, with the exception of possibly using the Community Service Officers during major events such as SonShine and Willmar Fests.

Following discussion of alternative methods of safety measures such as improved signage and painted crosswalks, the Committee was recommending the Council discontinue the use of crossing guards for all the reasons discussed such as declining usage and direct staff to continually review alternative safety measures. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Swenson seconding the motion, which carried.

Item No. 3 The Committee considered a resolution relating to removing the parking on Willmar Avenue SE from 4th Street SE to T.H. 71/23 due to the widening and reconstruction of this street. The design of the street will be changed to five-lane and the new width will not allow parking. The State of Minnesota requires removal of the parking in order to use Municipal State Aid Funds.

The Committee was recommending the Council approve the removal of parking on Willmar Avenue SE from 4th Street to T.H. 71/23. Resolution No. 8 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 8

RELATING TO PARKING RESTRICTIONS on S.A.P. 34-623-21; CSAH 23 (Willmar Avenue Southeast); City No. 175-020-16 from 4th Street SE to T.H. 71/23 in the City of Willmar, Minnesota.

WHEREAS, the "City" has approved the improvement of County Road 23 (Willmar Avenue SE), State Aid Route No. 34-623-21 from 4th Street SE to T.H. 71/23 in the City of Willmar, Minnesota; and

WHEREAS, the "City" will be expending Municipal Street Aid Funds on the improvements of this street; and

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a County/Municipal State Aid Street Project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, BE IT RESOLVED that the "City" shall ban the parking of motor vehicles on County Road 23 (Willmar Avenue SE) from 4th Street SE to T.H. 71/23 at all times.

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee discussed the upcoming Assessment Hearing on June 6, 2005, noting this year's assessment rate for reconstruction is \$50.99 per foot which is higher than last year's rate of \$43.46 and a rate for overlay of \$14.98 per foot. The total assessment figure prepared by staff is \$3,395,320.85.

Following discussion, the Committee was recommending the Council declare costs to be assessed and order preparation of the assessment roll. Resolution No. 9 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF ASSESSMENT ROLL IN CONNECTION WITH 2005 STREET AND OTHER IMPROVEMENTS (PROJECT NOS. 0501 AND 0502)

WHEREAS, contracts have been let for the construction of Street and Other Improvements of 2005 in the City, to-wit: City Project No. 0501 and No. 0502 and;

WHEREAS, the total cost of said Street and Other Improvements of 2005 is \$4,731,590.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. The City Council hereby determines that the City shall pay \$1,336,269.15 of said cost, exclusive of the amount it may pay as a property owner, and the sum of \$3,395,320.85 shall be assessed against benefited property owners based upon benefits received without regard to cash valuation.

2. The Clerk-Treasurer, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land without regard to cash valuation as provided by law, and he shall file a copy of such assessment in his office for public inspection.

3. The Clerk-Treasurer shall, upon the completion of such assessment, notify the City Council thereof.

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee discussed the Wastewater Treatment Plant Relocation Project. Staff presented a brief history leading up to the Council's decision in September, 2004, to relocate the Wastewater Treatment Plant. In November the concept of hiring a consulting firm to construct the plant using the "Program Management Concept." was approved and in January, 2005 the firm of Donohue and Associates was retained by the City.

Ken Sedmak, representing Donohue and Associates, was present to review with the Committee a proposed agreement for program management and the planning phase of the Wastewater Treatment Plant Relocation Project. The 14-month planning phase would be completed mid 2006, at which point the design phase could start.

Following discussion, the Committee was recommending the Council approve the agreement as presented and authorize the Mayor and City Administrator to sign on behalf of the City. Resolution No. 10 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 10

Whereas the City of Willmar desires to retain a firm to provide program management services for the planning phase of the Wastewater Treatment Plant Relocation Project; and

Whereas a proposal has been made by, and an agreement prepared to retain, the firm of Donohue & Associates of Sheboygan, Wisconsin in a not to exceed amount of \$1,015,939 for said services;

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that the Mayor and City Administrator be authorized to execute the same.

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Staff informed the Committee that with the approval of the planning services agreement, the project budget should be revised accordingly. The Committee was recommending the Council approve the revised budget for the Wastewater Treatment Plant Relocation. Resolution No. 11 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 11

PRELIMINARY BUDGET WILLMAR WASTEWATER TREATMENT PLANT RELOCATION

SUPPLIES			RECEIVABLES	
Office Supplies	\$	500.00	City (WWTP)	<u>\$1,165,939.00</u>
Postage		500.00	Total:	\$1,165,939.00

Mtce. of Equipment	10,000.00
Mtce. of Structures	6,000.00
General Supplies	<u>1,000.00</u>
Total:	\$ 18,000.00

FINANCING	
Bonds (Loans)	\$1,015,939.00
City (WWTP)	<u>150,000.00</u>
Total:	\$1,165,939.00

OTHER SERVICES	
Printing & Publishing	\$ 2,000.00
Other Services	<u>1,000.00</u>
Total:	\$ 3,000.00

OTHER CHARGES	
Prof. Services	\$1,113,939.00
Advertising	1,000.00
Admin. OH (Transfer)	20,000.00
Other Charges	<u>10,000.00</u>
Total:	\$1,144,939.00

Budget Summary	
\$10,000 (excess flow pumps)	
\$6,000 (excess flow pumps)	
\$1,113,939 (Donohue, FP, CSP)	

Grand Total: \$1,165,939.00

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee was informed by staff that the Internal Revenue Service requires the City to make a declaration of intent to reimburse itself prior to incurring project costs. Adoption of the intent reimburse resolution assures the City that it will be able to recover any project costs incurred prior to the sale of bonds to finance the Wastewater Treatment Plant project. The Committee was recommending the Council adopt the resolution of intent to reimburse.

Resolution No. 12 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 12

RESOLUTION ESTABLISHING PROCEDURES RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

(For Resolution in its entirety, see Council proceedings file dated
May 16, 2005, located in the City Clerk's Office)

The Public Works/Safety Committee Report for May 10, 2005, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council member Fagerlie, and carried.

The Community Development Committee Report for May 12, 2005, was presented to the Mayor and Council by Council Member DeBlieck. There were seven items for Council

consideration.

Item No. 1 Members of the Airport Commission appeared before the Committee to request City assistance in relocating hangars and making the move to the new Airport. The need for reasonably priced rental hangar space was also stated. Private hangars need to be moved to the new airport, but 18 aircraft are housed in hangars that cannot be moved. It was noted that there is State bond money possibly available for hangar construction and/or moving. The status of the Federal request is unknown. The State has verbally committed to financial participation in hangar relocation or buyout, whichever costs less.

The Airport Commission also requested longer-term, defined-rate leases to allow for better private financing. A 30-year term was proposed with an initial rate of 10 cents per square foot. Another concern was that of real estate tax rates for hangars. Data was presented showing that the local tax rate is higher than some metro rates. A lesser issue was that of building permit fees. It was suggested that persons who recently built new hangars not be charged another permit fee, and that new hangars be allowed permit-free for a period of two years.

Following a lengthy discussion, the Committee was recommending the Council direct staff to prepare a position paper and recommendations addressing the hangar relocation and construction issue. Council Member DeBlieck moved to approve the recommendation of the Community Development Committee with Council Member Dokken seconding the motion, which carried.

Item No. 2 The Committee reviewed plans for the 2005 Airport project. Work items include: final grading, taxiway lighting, some approach lighting, security fencing, access road paving, drainage improvements, etc. The project is part of the Airport Capital Improvement Program.

The Committee was recommending the Council approve the plans and specs for the 2005 airport project and authorize a call for bids. Resolution No. 13 was introduced by Council Member DeBlieck, seconded by Council Member Swenson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 13

WHEREAS, the City Engineer of the City of Willmar has presented to the City Council plans and specifications for the 2005 Airport Project (miscellaneous paving, drainage, lighting, fencing, etc.) for the City of Willmar;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that: Final plans and specifications are hereby approved, and publication of advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 30th day of June, 2005, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 16th day of May, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee discussed the Business Subsidy Agreement for JOBZ benefits for the NovaTech / Epitopix project at the Willmar Regional Treatment Center. It was also noted that there was a request pending for the modification of the JOBZ sub-zone allowing the transfer of acres to the WRTC site. That matter was for information only.

Item No. 4 The Committee discussed current off-premise advertising regulations. Concern was expressed over the visibility of Central Business District businesses from the by-pass. Action was withheld pending the visit by the Minnesota Design Team and their recommendations. This matter was for information only.

Item No. 5 The Committee discussed a complaint regarding turkey feathers along 19th Avenue SW. The complaint was not verified, nor was a solution offered. This matter was for information only.

Item No. 6 The Committee recognized staff for their efforts in assisting in improvements to the home at 802 SE 2nd Street. An unsafe porch had been removed and the walls repaired. The work was done by the Ridgewater College Carpentry students with materials donated by Perkins Lumber. This matter was for information only.

Item No. 7 The Committee received updates on the following projects: Family Eye Center, multiple banks, Duinick properties, Mills projects, and residential plats.

The Community Development Committee Report for May 12, 2005, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBleck, seconded by Council Member Swenson, and carried.

City Planner Sauer presented to the Mayor and Council a preliminary plat for North Creek, a Planned Common Interest Community proposed by LCR Properties. The common interest community planned unit development is to allow for an association common area private street, green space, etc. The Planning Commission has approved the planned unit development conditional use permit and preliminary plat. Council Member Christianson moved to approve the preliminary plat for North Creek with Council Member Reese seconding the motion, which carried.

City Planner Sauer presented to the Mayor and Council a final plat for Trentwood Estates Second Addition, a Planned Unit Development with a mix of Single Family and Twin Home Development off Lakeland Drive NE being developed by Erickson Land Company. In 2004 the Conditional Use Permit was approved, and this second phase consists of 57 lots and 4 outlots. The Board of Zoning Appeals approved a variance for some reduced rear setbacks and utility easements were added as requested by the MUC. Council Member Anderson moved to approve the final plat for Trentwood Estates Second Addition with Council Member Fagerlie seconding the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, May 23; and Special City Council and Public Works/Safety, May 31, 2005.

City Administrator Schmit presented a status report on the All-America City Conference and reported a delegation of 48 individuals will be participating. At this point the Task Force will be meeting on a weekly basis and focusing on the presentation to the judging panel.

Mayor Heitke informed the Council that the Minnesota Design Team will return to Willmar on May 20 and 21, 2005.

There being no further business to come before the Council, the meeting adjourned at 10:25 p.m. upon motion by Council Member DeBlieck, seconded by Council Member Fagerlie, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL